

RESPONSE TO ADVISORY ACTION

October 22, 2003

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Petition to examiner Patricia L. Hailey

Pertaining to Advisory Action date mailed 10/15/2003, regarding patent application serial number 09/ 955,254, filed by Gene E. Lightner 09/17/2001, response to Advisory Action is enclosed within.

Acknowledgment that the period for response is continued three months from the date of final rejection is noted.

The applicant amendment to the specification, page 4, lines 18-19 has been previously presented to establish the phrases "mutually insoluble phases" and a "solid" sugar phase. These phrases, devoid of a change in scope, are well understood by the applicant and are expected to be accepted by the examiner.

Attention to previously presented amended claim 1 as (currently amended) is requested. This claim requires underlining of the phrase mutually insoluble phases so as to become claim 1 (currently amended).

As previously stated, the examiner is instructed to cancel claims 13-14, and claims 16-17 within the original claims as presented as (canceled).

It is expected that, upon examination of the previously presented amended specification and claim cancellations, remaining claims will be allowed by the examiner.

Revised amendment practice, as established within 37 CFR 1.121, is presented.

A separate sheet of the amended claim listing, 2 pages, is provided, and is petitioned to be allowable.

Very respectfully,

Gene E. Lightner

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